IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 24TH MAY 2007 / 3RD JYAISHTA 1929

Bail Appl..No. 3088 of 2007()

CMP.634/2007 of J.M.F.C.-I, CHENGANNUR
CRIME NO.219/2007 OF CHENGANNUR POLICE STATION

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: PETITIONERS/ACCUSED:

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1. BATTAPPAN, 30 YEARS,
S/O.RAMASWAMY, RAILWAY PURAMBOKKU COLONY,
CHENKOTTAI, TAMILNADU STATE.

2. MANEY, 26 YEARS, S/O.MARIYAPPAN,
RAILWAY PURAMBOKKU COLONY,
CHENKOTTAI, TAMILNADU STATE.

BY ADV. SRI.A.C.DEVY

RESPONDENTS: STATE:

THE STATE OF KERALA, REPRESENTED
BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 3088/2007

Dated this 24th day of May, 2007

O R D E R

The petitioners who are accused Nos. 1 and 2 in Crime No.219/2007 of Chengannur police station for offences punishable under Sections 457 and 380 IPC read with Section 34 IPC, seek their enlargement on bail. The petitioners were arrested on 23.4.2007.

2. The learned Public Prosecutor opposed the application submitting inter alia that the petitioners who belong to Tamil Nadu had gained their entry into the house of the defacto complainant at about 3.00 a.m and had committed theft of gold ornaments weighing six sovereigns and also a mobile phone and a wrist watch of which the wrist watch alone has so far been recovered.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioners, the present stage of investigation of the case and the other circumstances of the case, if the petitioners are released on bail, they will definitely influence and intimidate the prosecution witnesses. There is also the likelihood of the petitioners making themselves scarce and fleeing from justice. I am, therefore, not inclined to grant bail to the petitioners at this stage.

This application is accordingly dismissed.

V.RAMKUMAR,
JUDGE

mrcs